

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14401 of the Benedictine Foundation at Washington, D.C., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to construct an addition to an existing school in an R-1-B and R-2 District at premises 4501 South Dakota Avenue, N. E., (Square 3977, Lot 805).

HEARING DATE: March 12, 1986

DECISION DATE: March 12, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The site is known as premises 4501 South Dakota Avenue, N.E. It is located in the R-1-B and R-2 Districts.
2. The school is located on a 36 acre wooded, hilly site. The site is improved with St. Anselm's school and St. Anselm's Abbey. The school is accessed by South Dakota Avenue.
3. To the north of the site are single family dwellings in the R-2 District. These dwellings front on Emerson and 14th Streets and Eastern Avenue. To the east is Sixteenth Street, followed by single family dwellings in the R-1-B District. It is this side of the school site where a driveway is proposed. To the south is South Dakota Avenue followed by single family dwellings in the R-2 District and to the west is St. Gertrude's School property in the R-2 District.
4. Pursuant to Sub-section 8207.2 of the Zoning Regulations the St. Anselm's Abbey School is requesting a special exception under Paragraph 3101.42 to build a 12,300 square foot addition to its existing school building.
5. Paragraph 3101.42 allows a private School to be located in the R-1-B and R-2 District provided that:
 - a. It is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions;
 - b. Ample parking space, but not less than that

required in Article 72 of these regulations, is provided to accommodate the students, teachers, and visitors likely to come to the site by automobile.

6. St. Anselm's is an independent college preparatory school with grades seven through 12 for boys of above average capabilities, conducted by the Benedictine Foundation of Washington.

7. The addition will be one story in height and architecturally compatible with the existing building. It will contain classrooms, teacher's offices and a service loading area.

8. The school building and proposed addition are located centrally on the site, and are well removed from the site's property lines. The proposed addition will be 155 feet from 16th Street to the east and another 50 feet (approximately) from the nearest residential dwelling. The addition will be barely visible from surrounding property given the separation and the heavy tree cover, which will act to adequately negate any objectionable impacts from noise or visual conditions.

9. The school expects a gradual student enrollment increase of 30 students with the approval of the addition. The maximum school enrollment is expected to be 240. The teaching staff consists of 36 members, of which 14 live on the site at St. Anselm's Abbey.

10. The building plans show the location for a new service drive having an entrance on 16th street at its intersection with Crittenden Street. This driveway is proposed to be for service vehicles only. The school does not expect daily deliveries to exceed six. The applicant notes that the driveway will be used for trash disposal, twice a week, cafeteria delivery, four times a week, normal supply and book deliveries, monthly August and September and for fire truck access to the rear of the school. No student or faculty automobile access will occur on this drive. The driveway entrance will not directly face any dwelling units which front on 16th Street.

11. The Zoning Regulations requires that two parking spaces be provided for each three teachers and other employees, plus either one for each twenty classroom seats or one parking space for each ten seats in the largest, auditorium, gymnasium or area usable for public assembly, whichever is greater, for a high school. There are approximately 250 bleacher seats available in the school gymnasium, which would require the school to provide 25 parking spaces. All vehicular access except for service vehicles to the property is by way of a driveway off South Dakota Avenue. This driveway leads to a 50 car parking lot

which is used by the teachers and students who drive. A parking lot addition for approximately 30 cars is planned to be installed northeast of the present parking area.

12. By memorandum dated March 5, 1986, the Office of Planning (OP) recommended approval of the application. The OP reported that the school's operation is well buffered from neighboring residential uses and amply large so as to be able to contain its on-site parking needs without overspill onto public streets. The OP was of the opinion that the applicant satisfied the criteria for special exception approval in accordance with Paragraph 3101.42. The Board concurs with the reasoning and recommendation of the OP.

13. By letter dated March 5, 1986, Advisory Neighborhood Commission (ANC 5A) reported that the ANC voted to approve the application. It appears that a quorum was not present to vote. The reason for the support was that the residents present at the meeting had no objections to the application.

14. Groups located on adjacent properties or in the neighborhood of the subject property namely, St. Gertrude's School, the Convent of the Sacred Heart and the Whitefriars Hall Community all submitted letters in support of the subject application on the grounds that the educational reputation of the applicant was a positive aspect in the community.

15. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Paragraph 3101.42 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. The location and the program are not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions and that the site has sufficient parking spaces to accommodate the students, teachers and visitors likely to come to the site by automobile. The Board further concludes that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and it will not affect adversely the use of neighboring property.

Accordingly, it is ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The number of parking spaces shall be provided as illustrated on Exhibit No. 18 of the record.
2. The maximum number of students shall be 240.
3. The maximum number of staff shall be 36.

VOTE: 4-0 (William F. McIntosh, Paula L. Jewell, Charles R. Norris and Carrie L. Thornhill to grant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: JUL 28 1986

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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